

# Agenda

## Item #3

## 21-A MRSA § 1017. REPORTS BY CANDIDATES

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**7-A. Reporting exemption.** A candidate seeking election to a county or municipal office is exempt from reporting as provided by this subsection.

A. A candidate seeking election to a county or municipal office may, at the time the candidate registers under section 1013-A, notify the commission that the candidate and the candidate's agents, if any, will not personally accept contributions, make expenditures or incur obligations associated with that candidate's candidacy. The notification must be sworn and notarized. A candidate who provides this notice to the commission is not required to appoint a treasurer and is not subject to the filing requirements of this subchapter if the statement is true.

B. The notice provided to the commission under paragraph A may be revoked. Prior to revocation, the candidate must appoint a treasurer. The candidate may not accept contributions, make expenditures or incur obligations before the appointment of a treasurer and the filing of a revocation notice are accomplished. A revocation notice must be in the form of an amended registration, which must be filed with the commission no later than 10 days after the appointment of a treasurer. The candidate and the candidate's treasurer, as of the date the revocation notice is filed with the commission, may accept contributions, make expenditures and incur obligations associated with the candidate's candidacy. Any candidate who fails to file a timely revocation notice is subject to the penalties prescribed in section 1020-A, subsection 4-A, up to a maximum of \$5,000. Lateness is calculated from the day a contribution is received, an expenditure is made or an obligation is incurred, whichever is earliest.

## Wayne, Jonathan

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**From:** Shelley [countygir@pwless.net]  
**Sent:** Friday, October 22, 2010 4:33 PM  
**To:** Wayne, Jonathan  
**Cc:** O'Brien, Gavin  
**Subject:** Ethic Complaint

Jonathan

Please consider this email a formal request for the ethics commission to investigate my complaint against Mrs. Patricia Brown.

I have given this matter a great deal of thought and have concluded this matter should go forward to the panel. Mrs. Brown has run not one but several ads in the Aroostook County newspapers (Houlton Pioneer Times, The Star Herald and the Aroostook Republican and News) all while being claiming exemption. She has spent more money on these ads than I have raised my entire campaign and while this is not unethical it certainly would have been different had I know her intentions earlier in the race. With less than a 2 weeks before the election she certainly has put me at a disadvantage as she has suddenly become "active" and there is not enough time for me to raise more monies or place my own ads. While I do not know for certain my sources indicate that she intends to rerun ads in those newspapers again next week.

I would hope that the panel also considers changing the rules on exemption as a candidate could "play possum" until the end of a campaign and suddenly rescind their exemption and catch their opponent(s) unaware and without enough time to respond to their new activity. Perhaps a deadline on the ability to rescind would be all that is necessary.

Thank you again for speaking with me today, I certainly appreciate you assistance and counsel on this matter.

Best Regards

Shelley Sylvester

**From:** Pat Brown - Registry of Deeds [mailto:pat@aroostook.me.us]

**Sent:** Saturday, October 23, 2010 3:32 PM

**To:** Wayne, Jonathan

**Subject:** Re: Request to Investigate by Shelly Sylvester

Jonathan Wayne

This is in response to your a-mail and telephone conversation on Saturday Oct. 23, 2010. This is also in response to a complaint that Shelley Sylvester has brought against me. It was my understanding that when I signed the exemption clause that it meant that I couldn't accept contributions from outside source. I didn't realize that I could not spend my own money. I am sorry, if I had read the exemption fully I never would have violated this law. My intention certainly was not to keep any information from my opponent. I have no animosity toward Shelley or any other person willing to run for this office.

Thank you, I appreciate your time and consideration in this matter.

Respectfully,

Patricia F Brown, Registrar  
Registry of Deeds  
26 Court Street  
Houlton, Maine 04730  
Date: October 23, 2010



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

October 23, 2010

Ms. Patricia F. Brown  
19 Kelleran Street  
Houlton, Maine 04730

Dear Ms. Brown:

As we discussed, your opponent for the office of Aroostook County Register of Deeds filed the attached complaint concerning your campaign expenditures.

**Reporting Exemption**

Under 21-A M.R.S.A. 1017(7-A)(A), a candidate may make a sworn statement to the Maine Ethics Commission that they "will not personally accept contributions, make expenditures or incur obligations associated with that candidate's candidacy." Once the statement is filed, the candidate is exempt from the legal duties of appointing a treasurer or filing any campaign finance reports.

If a candidate who has filed an exemption statement later decides to accept contributions or make expenditures in connection with their campaign, the candidate is required under paragraph 1017(7-A)(B) to revoke the exemption statement by filing an amended registration form with the Commission:

The candidate may not accept contributions, make expenditures or incur obligations before the appointment of a treasurer and the filing of a revocation notice are accomplished.

The revocation must happen *before* making expenditures for the campaign.

**Your Campaign Expenditures**

When you registered as a candidate for Register of Deeds in March 2010, you filed the exemption statement, which is the optional box 6 on the registration form. After your opponent notified our office that you were making campaign expenditures, we contacted you. You explained that you thought the exemption only applied to spending campaign contributions and did not realize it also prevented you from spending your own money on your campaign. We requested that you revoke the exemption by filing an amended registration form, which you did on October 21, 2010.

You explained that on October 15, 2010 you entered into an unpaid obligation of \$200 to the Aroostook Print Shop for fliers, and on October 19, 2010 your campaign received an in-kind contribution from you in the amount of \$990 for a paid advertisement. These amounts have been disclosed in a campaign finance report that our office received on time.

#### **Penalty for Late Filing of Revocation**

The Commission staff believes that your revocation was filed six days late. The revocation should have been filed on or before October 15 and it was filed on October 21.

Paragraph 1017(7-A)(B) states that a candidate who does not file a revocation notice on time "is subject to the penalties prescribed for" the late filing of a campaign finance report. In this instance the penalty would be \$59.40, which is six times \$9.90 (1% of the campaign's in-kind contributions for the period).

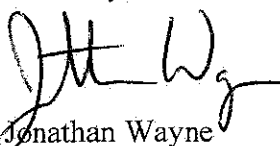
The statute does not explicitly state that the Commission has the discretion to waive these penalties, although waivers are authorized for the late filing of campaign finance reports under 21-A M.R.S.A. § 1020-A(2). If you wish to ask for a waiver of the \$59.60 penalty, the Commissioners will consider whether they have the discretion to waive any part of the penalties.

#### **Commission Meeting**

The Commission will consider your opponent's complaint at its meeting on Thursday, October 28, 2010 at 9:00 a.m. in Augusta. The meeting will take place at our office at 45 Memorial Circle, 2<sup>nd</sup> floor in Augusta. The rotary is at the intersection of State Street and Western Avenue (one block north of the State House). You are welcome to attend the meeting to respond to the complaint and explain the circumstances of the late filing of the revocation. I will send you an e-mail with a link to directions that are available on the Commission's website.

Please call me at 287-4179 if you have any questions.

Sincerely,

  
Jonathan Wayne  
Executive Director

cc: Shelley Sylvester



**RECEIVED**

MAR 29 2010

MAINE ETHICS COMMISSION

## 2010 CANDIDATE REGISTRATION

**Notice:** Changes to registration information must be filed within 10 days in writing or by e-mail to the Commission.

Is this an amendment? ☐ Yes ☐ No

EXEMPT

1. CANDIDATE INFORMATION		
Are you running as a (check one): <input checked="" type="checkbox"/> Maine Clean Election Act candidate <input type="checkbox"/> privately financed candidate		
Title <input type="checkbox"/> Ms. <input checked="" type="checkbox"/> Mrs. <input type="checkbox"/> Mr. <input type="checkbox"/> Dr. <input type="checkbox"/> Honorable	Party affiliation Republican Party	Office sought Registry of Deeds South
Name: First Patricia	MI or Middle Name F.	Last Brown
Mailing address 19 Kellerman Street		District or County Arroostook
City, zip code Houston, ME 04730		Home Phone 532-0583
E-mail Pat@arroostook.me.us		Cell Phone - 0 -
Fax 532-1506		Work Phone 532-1500

2. TREASURER INFORMATION		
Name: First	MI or Middle Name	Last
Mailing address		Phone (home)
City, zip code		Phone (work)
E-mail		Fax

**DESIGNATION OF TREASURER:** A candidate for office must appoint a treasurer no later than 10 days after becoming a candidate, and before accepting contributions, making expenditures or incurring obligations. A MCEA CANDIDATE MAY NOT SERVE AS TREASURER. No later than 10 days after appointing a treasurer, the candidate must register with the Commission the name and address of the candidate and treasurer. The treasurer is responsible for maintaining campaign records and for filing reports. (21-A MRSA §§ 1013-A and 1125(12-A))

2A. DEPUTY TREASURER INFORMATION		
Name: First	MI or Middle Name	Last
Mailing address		Phone (home)
City, zip code		Phone (work)
E-mail		Fax

**DESIGNATION OF DEPUTY TREASURER (optional):** The candidate may appoint a deputy treasurer and notify the Commission no later than 10 days after the appointment. A MCEA CANDIDATE MAY NOT SERVE AS DEPUTY TREASURER. The deputy, when acting in the absence of the treasurer, has the same powers and responsibilities as the treasurer. (21-A MRSA § 1013-A (1)(A)(1))

3. AUTHORIZED AGENT INFORMATION		
Name	Phone	Email
Name	Phone	Email

**DESIGNATION OF AUTHORIZED AGENT (optional):** Please use this section to designate individuals, other than the treasurer and deputy treasurer, authorized to file reports on your behalf.

4. POLITICAL COMMITTEE INFORMATION	
Name	Phone
Address of campaign headquarters	City, zip code

**DESIGNATION OF POLITICAL COMMITTEE (optional):** The candidate may form a political or campaign committee. Within 10 days of forming the committee and before accepting contributions, making expenditures or incurring obligations, the candidate must:

- appoint a treasurer (the candidate may have only one treasurer who is listed in Section 2) and
- register the committee and its officers, if any are appointed, with the Commission. (21-A MRSA § 1013-A (1) (B))

**Committee Officers (use additional pages, if necessary):**

Name	Title	Phone
Mailing address	City, zip code	E-mail
Name	Title	Phone
Mailing address	City, zip code	E-mail

5. CERTIFICATION	
I, _____, certify that the information in this registration is true, (Print Candidate's Full Name) accurate and complete.	
Signature of Candidate	Date

6. FOR COUNTY CANDIDATES ONLY	
<p><b>REPORTING EXEMPTION REQUEST:</b> A candidate for county office may request an exemption from the obligation to appoint a treasurer and file campaign finance reports if the candidate does not accept any cash or in-kind contributions or make any expenditures for his or her campaign. You cannot request a reporting exemption if you use your or your spouse's/domestic partner's personal funds to pay for your campaign expenses. To request an exemption, complete the statement below and sections 1 &amp; 5, have the form notarized, and submit it to the Commission.</p> <p><b>STATEMENT OF ELIGIBILITY FOR A REPORTING EXEMPTION:</b> I, the undersigned, swear or affirm that I will not accept contributions, make expenditures or incur obligations associated with my candidacy.</p>	
Signature of county candidate	Date
Subscribed and sworn (affirmed) to before me this	day of
Signature of Notary/Attorney-at-law	My commission expires
(Seal is optional)	(Date)
<p><b>REVOCATION NOTICE:</b> The foregoing statement may be revoked. Prior to revocation, the candidate must appoint a treasurer. A revocation notice must be in the form of an amended registration which must be filed with the Commission no later than 10 days after the date the treasurer is appointed. The notice must be filed before contributions are accepted or expenditures made. A late revocation notice is subject to the same penalties applicable to late campaign finance reports.</p>	

**Sworn Falsification is a Class D crime. (17-A MRSA § 453)**



*exempt for revoked*

DESIGNATION OF AUTHORIZED AGENT (optional)		
Name	Phone	Email
Name	Phone	Email

**DESIGNATION OF AUTHORIZED AGENT (optional):** Please use this section to designate individuals, other than the treasurer and deputy treasurer, authorized to file reports on your behalf.

DESIGNATION OF POLITICAL COMMITTEE (optional)	
Name	Phone
Address of campaign headquarters	City, zip code

**DESIGNATION OF POLITICAL COMMITTEE (optional):** The candidate may form a political or campaign committee. Within 10 days of forming the committee and before accepting contributions, making expenditures or incurring obligations, the candidate must:

- appoint a treasurer (the candidate may have only one treasurer who is listed in Section 2) and
- register the committee and its officers, if any are appointed, with the Commission. (21-A MRSA § 1013-A (1) (B))

**Committee Officers (use additional pages, if necessary):**

Name	Title	Phone
Mailing address	City, zip code	E-mail
Name	Title	Phone
Mailing address	City, zip code	E-mail

CERTIFICATION	
I, _____, certify that the information in this registration is true, (Print Candidate's Full Name)	
accurate and complete.	
Signature of Candidate	Date

FOR COUNTY CANDIDATES ONLY	
<p><b>REPORTING EXEMPTION REQUEST:</b> A candidate for county office may request an exemption from the obligation to appoint a treasurer and file campaign finance reports if the candidate does not accept any cash or in-kind contributions or make any expenditures for his or her campaign. You cannot request a reporting exemption if you use your or your spouse's/domestic partner's personal funds to pay for your campaign expenses. To request an exemption, complete the statement below and sections 1 &amp; 5, have the form notarized, and submit it to the Commission.</p> <p><b>STATEMENT OF ELIGIBILITY FOR A REPORTING EXEMPTION:</b> I, the undersigned, swear or affirm that I will not accept contributions, make expenditures or incur obligations associated with my candidacy.</p>	
Signature of county candidate	Date
Subscribed and sworn (affirmed) to before me this	day of
Signature of Notary/Attorney-at-law	My commission expires
(Seal is optional)	(Date)
<p><b>REVOCATION NOTICE:</b> The foregoing statement may be revoked. Prior to revocation, the candidate must appoint a treasurer. A revocation notice must be in the form of an amended registration which must be filed with the Commission no later than 10 days after the date the treasurer is appointed. The notice must be filed before contributions are accepted or expenditures made. A late revocation notice is subject to the same penalties applicable to late campaign finance reports.</p>	

Sworn Falseification is a Class D crime. (17-A MRSA § 453)

*Patricia F. Brown*

10/21/10



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES  
Mail: 135 State House Station, Augusta, Maine 04333  
Office: 45 Memorial Circle, Augusta, Maine

Website: [www.maine.gov/ethics](http://www.maine.gov/ethics)  
Phone: 207-287-4179  
Fax: 207-287-6775

## 2010 CAMPAIGN FINANCE REPORT

### FOR PRIVATELY FINANCED CANDIDATES

CANDIDATE		
PATRICIA F. BROWN 19 KELLERAN STREET HOULTON, ME 04730 OFFICE SOUGHT: REGISTER OF DEEDS COUNTY: AROOSTOOK DISTRICT: 0		TEL: (207)532-0583 FAX: (207)532-1506 E-MAIL: <a href="mailto:pat@aroostook.me.us">pat@aroostook.me.us</a>
TREASURER		
		TEL: FAX: E-MAIL:
TYPE OF REPORT	DUE DATE	REPORTING PERIOD
11-DAY PRE-GENERAL	10/22/2010	9/15/2010 - 10/19/2010
NO FINANCIAL ACTIVITY IN THIS REPORTING PERIOD FOR SCHEDULES A, B, C		
CERTIFICATION		
<p>I, PATRICIA F. BROWN, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.</p> <p>REPORT FILED BY: PATRICIA F. BROWN REPORT FILED ON: 10/21/2010</p> <p>IF THIS REPORT IS FILED BY AN AUTHORIZED AGENT OF THE CANDIDATE, THE CANDIDATE, TREASURER AND AGENT ARE LIABLE FOR ANY VIOLATIONS OF MAINE CAMPAIGN FINANCE LAW (21-A M.R.S.A. CHAPTER 13) AND THE COMMISSION'S RULES THAT MAY RESULT FROM THE FILING OF A FALSE OR INACCURATE REPORT.</p>		

UNSWORN FALSIFICATION IS A CLASS D CRIME (17-A M.R.S.A. § 453).

**SCHEDULE A - 1  
IN-KIND CONTRIBUTIONS**

- In-kind contributions are goods and services (including facilities) that a candidate received at no cost or at a cost less than the fair market value. They include all goods and services purchased for the campaign by the candidate or supporters if the campaign does not expect to reimburse the candidate or supporter. These contributions may come from the candidate, candidate's family, supporters, PACs, party committees, or other entities.
- For contributors who gave more than \$50, the name, address, occupation, and employer must be reported. If "information requested" is listed instead of occupation and employer, the candidate is waiting to receive that information.
- In-kind contributions of \$50 or less can be added together and reported as a lump sum.
- If the candidate received a discount on goods and services, the amount of the discount must be reported as an in-kind contribution.
- Total contributions (cash and in-kind) from the same source (except the candidate and candidate's spouse or domestic partner) may NOT exceed \$350 in any election for county and legislative office or \$750 for gubernatorial candidates. For party candidates, the primary and general elections are considered separate elections. For non-party candidates, there is only one election, the general election.
- Contributor Types:
 

1 = Candidate and Candidate's Spouse/Domestic Partner 2 = Other Individuals 3 = Commercial Sources (corporations, etc.) 4 = Political Action Committees	5 = Political Party Committees 6 = Other Candidates and Committees 7 = (This type not applicable to privately financed candidates.) 8 = Contributors Giving \$50 or Less 9 = Transfer from Previous Campaign
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DATE RECEIVED	CONTRIBUTOR'S NAME, ADDRESS, ZIP	OCCUPATION AND EMPLOYER	DESCRIPTION (of goods, services, facilities, or discounts received)	TYPE	VALUE (estimated fair market value)
10/19/2010	PATRICIA F BROWN 19 KELLERAN STREET HOULTON ME 04730		AD	1	\$990.00
<b>TOTAL IN-KIND CONTRIBUTIONS ⇒</b>					<b>\$990.00</b>

**SCHEDULE D  
UNPAID DEBTS AND OBLIGATIONS**

- A debt or obligation is incurred if a candidate places an order for a good or service without making a payment; makes a promise or agreement to pay for a good or service; signs a contract for a good or service; or receives delivery of a good or service for which the candidate has not paid.
- This schedule is a list of all debts and obligations of the campaign as of the end of this reporting period.

DATE OF OBLIGATION	CREDITOR	DESCRIPTION	AMOUNT
10/15/2010	AROOSTOOK PRINT SHOP HOULTON, ME 04730	FLYERS	\$200.00
TOTAL UNPAID DEBTS AND OBLIGATIONS ⇒			\$200.00

**SCHEDULE F  
SUMMARY SCHEDULE  
(PRIVATELY FINANCED CANDIDATES)**

<b>CASH ACTIVITY</b>		
<b>RECEIPTS</b>	<b>TOTAL FOR THIS PERIOD</b>	<b>TOTAL FOR CAMPAIGN</b>
<b>1. CASH CONTRIBUTIONS FOR THE PRIMARY ELECTION (Schedule A)</b>	\$0.00	\$0.00
<b>1A. CASH CONTRIBUTIONS FOR THE GENERAL ELECTION (Schedule A)</b> <i>For party candidates, general election contributions will only appear on this line after the primary.</i>	\$0.00	\$0.00
<b>2. OTHER CASH RECEIPTS (interest, etc.)</b>	\$0.00	\$0.00
<b>3. LOANS (Schedule C, new loans and additional amounts loaned)</b>	\$0.00	\$0.00
<b>4. TOTAL RECEIPTS (lines 1+2+3)</b>	\$0.00	\$0.00
<b>EXPENDITURES</b>		
<b>5. EXPENDITURES (Schedule B)</b>	\$0.00	\$0.00
<b>6. LOAN REPAYMENTS (Schedule C)</b>	\$0.00	\$0.00
<b>7. TOTAL PAYMENTS (line 5+6)</b>	\$0.00	\$0.00
<b>CASH SUMMARY</b>		
<b>8. CASH BALANCE AT BEGINNING OF PERIOD (from last report)</b>	\$0.00	
<b>9. PLUS TOTAL RECEIPTS THIS PERIOD (line 4 above)</b>	\$0.00	
<b>10. MINUS TOTAL PAYMENTS THIS PERIOD (line 7 above)</b>	\$0.00	
<b>11. CASH BALANCE AT END OF PERIOD</b>	\$0.00	
<b>OTHER ACTIVITY</b>		
	<b>TOTAL FOR THIS PERIOD</b>	<b>TOTAL FOR CAMPAIGN</b>
<b>12. IN-KIND CONTRIBUTIONS (Schedule A-1)</b>	\$990.00	\$990.00
<b>13. TOTAL UNPAID DEBTS AT END OF PERIOD (Schedule D)</b>	\$200.00	
<b>14. TOTAL LOAN BALANCE AT END OF PERIOD (Schedule C)</b>	\$0.00	
<b>FOR PARTY CANDIDATES ONLY: CASH CONTRIBUTIONS FOR THE GENERAL ELECTION RAISED PRIOR TO PRIMARY ELECTION (included in line 1A after primary election)</b>		

## **21A § 1020-A. Failure to file on time**

**1. Registration.** A candidate that fails to register the name of a candidate, treasurer or political committee with the commission within the time allowed by section 1013-A, subsection 1 may be assessed a forfeiture of \$10. The commission shall determine whether a registration satisfies the requirements for timely filing under section 1013-A, subsection 1.

**2. Campaign finance reports.** A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 7, the commission shall determine whether a report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if the commission determines that the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff or the harm suffered by the public from the late disclosure. The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

- A. A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part;
- B. An error by the commission staff;
- C. Failure to receive notice of the filing deadline; or
- D. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service.

**3. Municipal campaign finance reports.** Municipal campaign finance reports must be filed, subject to all the provisions of this subchapter, with the municipal clerk on forms prescribed by the Commission on Governmental Ethics and Election Practices. The municipal clerk shall send any notice of lateness required by subsection 6 and shall notify the commission of any late reports subject to a penalty.

### **4. Basis for penalties. (REPEALED)**

**4-A. Basis for penalties.** The penalty for late filing of a report required under this subchapter, except for accelerated campaign finance reports required pursuant to section 1017, subsection 3-B, is a percentage of the total contributions or expenditures for the filing period, whichever is greater, multiplied by the number of calendar days late, as follows:

- A. For the first violation, 1%;
- B. For the 2nd violation, 3%; and
- C. For the 3rd and subsequent violations, 5%.

Any penalty of less than \$10 is waived.

Violations accumulate on reports with filing deadlines in a two-year period that begins on January 1st of each even-numbered year. Waiver of a penalty does not nullify the finding of a violation.

A report required to be filed under this subchapter that is sent by certified or registered United States mail and postmarked at least two (2) days before the deadline is not subject to penalty.

A registration or report may be provisionally filed by transmission of a facsimile copy of the duly executed report to the commission, as long as the facsimile copy is filed by the applicable deadline and an original of the same report is received by the commission within five calendar days thereafter.

The penalty for late filing of an accelerated campaign finance report as required in section 1017, subsection 3-B may be up to but no more than 3 times the amount by which the contributions received or expenditures obligated or made by the candidate, whichever is greater, exceed the applicable Maine Clean Election Fund disbursement amount, per day of violation. The commission shall make a finding of fact establishing when the report was due prior to imposing a penalty under this subsection. A penalty for failure to file an accelerated campaign finance report must be made payable to the Maine Clean Election Fund. In assessing a penalty for failure to file an accelerated campaign finance report, the commission shall consider the existence of mitigating circumstances. For the purposes of this subsection, "mitigating circumstances" has the same meaning as in subsection 2.

## **5. Maximum penalties. (REPEALED)**

### **5-A. Maximum penalties.** Penalties assessed under this subchapter may not exceed:

- A. Five thousand dollars for reports required under section 1017, subsection 2, paragraph B, C, D, E or H; section 1017, subsection 3-A, paragraph B, C, D, D-1 or F; section 1017, subsection 4; and section 1019-B, subsection 3;
- B. Five thousand dollars for state party committee reports required under section 1017-A, subsection 4-A, paragraphs A, B, C and E;
- C. One thousand dollars for reports required under section 1017, subsection 2, paragraphs A and F and section 1017, subsection 3-A, paragraphs A and E;
- D. Five hundred dollars for municipal, district and county committees for reports required under section 1017-A, subsection 4-B; or
- E. Three times the unreported amount for reports required under section 1017, subsection 3-B, if the unreported amount is less than \$5,000 and the commission finds that the candidate in violation has established, by a preponderance of the evidence, that a bona fide effort was made to file an accurate and timely report.

**6. Request for a commission determination.** If the commission staff finds that a candidate or political committee has failed to file a report required under this subchapter, the commission staff shall mail a notice by certified mail to the candidate or political committee within three business days following the filing deadline informing the candidate or political committee that a report was not received. If a candidate or a political committee files a report required under this subchapter late, a notice of preliminary penalty must be sent to the